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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,136	08/22/2000	Ioana M. Danciu	07844-423001/P387	9363

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FISH & RICHARDSON P.C.
500 ARGUELLO STREET
SUITE 500
REDWOOD CITY, CA 94063

EXAMINER

YANG, RYAN R

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 11/21/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/644,136

Applicant(s)

DANCIU, IOANA M.

Examiner

Ryan R Yang

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment B, filed on 8/20/03. This action is final.
2. Claims 1-18 are pending in the case. Claims 1, 8-9 and 18 are independent claims. Claims 1, 8-9 and 18 have been amended.

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Luisa Simone "Web Graphics Software Packages: Software Review: Evaluation" PC Magazine, v17, n19, pp. 197, 11/998.

As per independent claims 1 and 8, Simone discloses
receiving a source color image having colors within a source color gamut (pp. 8, Para 3);

receiving a plurality of rendering intents (pp. 24, Para 1), each rendering intent defines a mapping of colors. from the source color gamut to a destination color gamut (pp. 23, Para 2);

generating a plurality of rendered images (pp. 8, Para 3) "...display ...up to four variations..." by rendering the source image using the received plurality of rendering intents (pp. 22, Para 1) "FILE PREVIEW ...find the best combination ...change...the color palette...";

providing a plurality of contrast modes (pp. 22, Para 1) "...you can change... settings for each preview" (Since there are a plurality of settings for preview, it is inherent that there are a plurality of contrast modes to be chosen);

receiving input selecting a contrast mode (pp. 22, Para 1) "...you can change... settings for each preview";

simultaneously previewing a plurality of images according to the selected contrast mode (pp. 8, Para 3) "... preview with up to four variations of a file."; and

selecting a rendering intent by receiving from a user a selected image from the plurality of images simultaneously previewed images according to the selected contrast mode (pp. 8, Para 3) "a perfect optimization setting, you can save it".

3. As per dependent claim 2, Simone discloses the rendered images are contrasted by simultaneously previewing them as a plurality of rendered images (pp. 8, Para 3).

4. As per dependent claim 3, Simone discloses the rendered images are contrasted by simultaneously previewing them as a plurality of rendered differences (pp. 8, Para 3-4) ". ..performs... color reductions... offers. .. dither control... ".

5. As per dependent claim 4, Simone discloses the plurality of received rendering intents comprises all known rendering intents (pp. 8, Para 4).

6. As per dependent claim 5, Simone discloses the plurality of received rendering intents comprises a subset of all known rendering intents (pp. 22, Para 1; pp. 24, Para 1).

7. As per dependent claim 6, Simone discloses simultaneously displaying them on a monitor (pp. 22, Para 1).

Claim Rejections - 35 USC § 103

8. Claims 9-10, 12-15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luisa Simone ("Web Graphics Software Packages: Software Review: Evaluation" PC Magazine, v17, n19, pp. 197, 11/998) and further in view of Urbano et al. (US 6,004,270).

As per claims 9 and 18, Simone discloses a method for selecting a rendering intent. It is noted that Simone does not explicitly disclose simultaneously previewing a plurality of difference images, wherein each difference image is generated from one of the plurality of rendered images and a reference image and selecting a rendering intent by receiving from a user a selected difference image from the plurality of simultaneously previewed difference images, however, this is known in the art as taught by Urbano et al., hereinafter Urbano. Urbano discloses an image processing scheme in which difference images are processed and displayed (Figure 6 35 and 28).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Urbano into Simone because a method for selecting rendered image and Simone discloses the rendered image can be processed to display difference image in order to improve alignment process.

9. As per dependent claim 10, Simone discloses simultaneously displaying them on a monitor (pp. 22, Para 1).

10. As per dependent claim 12, Simone fails to disclose the reference image is another rendered image. It would have been obvious to one of skill in the art to include the reference image as another image in the disclosure of Simone because Simone

teaches both importing files and saving optimized files and previewing variations of the file on a split-screen (pp. 8, Para 3).

11. As per dependent claim 13, Simone discloses the reference image is the source color image (pp. 8, Para 3).

12. As per dependent claim 14, Urbano discloses a difference image is obtained by subtracting the reference image from a rendered image (col. 1, ll. 31-32).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Urbano into Simone because Simone discloses a method for selecting rendered image and Urbano discloses the rendered image can be processed to display difference image in order to improve alignment process.

13. As per dependent claim 15, Urbano discloses a difference image is obtained by subtracting the reference image from a rendered image (col. 1, ll. 31-32).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Urbano into Simone because Simone discloses a method for selecting rendered image and Urbano discloses the rendered image can be processed to display difference image in order to improve alignment process.

As for a difference image is obtained by calculating the least squares difference between a rendered image and the reference image, since least squares difference is a notoriously well known method in calculating difference between two image, it would have been obvious to one of skill in the art to include obtaining a difference image by

calculating the least squares difference between a rendered image in order to approximate color changes to find the best optimization.

14. Claims 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luisa Simone "Web Graphics Software Packages: Software Review: Evaluation" PC Magazine, v17, n19, pp. 197, 11/998 and further in view of Michael Magee, U.S. Patent 5,231,504, 7/1993.

15. As per dependent claims 7 and 11, Simone discloses simultaneously previewing a plurality of rendered images (pp. 8, Para 3), but fails to disclose printing them on a single sheet of paper, which Magee discloses (abstract). It would have been obvious to one of skill in the art to include printing on paper in the disclosure of Simone because Simone teaches matching colors on a display for output to a client computer (pp. 8, Para 6; pp. 13, Para 3) and providing dither control (pp. 8, Para 4), to approximate color between devices.

16. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luisa Simone ("Web Graphics Software Packages: Software Review: Evaluation" PC Magazine, v17, n19, pp. 197, 11/998) and Urbano et al. (US 6,004,270), and further in view of Kamiyama (US 2002/0028994).

As per dependent claim 16, Urbano discloses a difference image is obtained by subtracting the reference image from a rendered image (col. 1, ll. 31-32).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Urbano into Simone because Simone discloses a method for selecting rendered image and Urbano discloses the rendered

image can be processed to display difference image in order to improve alignment process.

It is further noted that Simone and Urbano combined do not explicitly disclose a difference image is obtained by representing the differences between a rendered image and the reference image as a topographical map, however, this is known in the art as taught by Kamiyama. Kamiyama discloses a method of representing difference image in the form of topological contouring (Figure 7 "After the production, the image data of tomographic image TM_s based on the difference signal S are superposed on those of tomographic image TM_2 based on the echo signal 2. In this superposition, each pixel of one topographic image TM_s is added in a pixel value (intensity) to that of each pixel the other tomographic image TM_2 ", [0118]).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kamiyama into Simone and Urbano because Simone and Urbano disclose a method of producing difference image and Kamiyama disclose the difference image can be topographical image in order to provide better contrast.

17. As per dependent claim 17, Kamiyama further disclose the topological image can color coded ("For the tomographic image TM_s based on the difference signal S , the pixels are color-coded in, for example, red or blue, being produced as a color-mapped image" [0118], where the tomographic image is a topographic image).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kamiyama into Simone and Urbano

because Simone and Urbano disclose a method of producing difference image and Kamiyama disclose the difference image can be topographical image in order to provide better contrast.

Response to Arguments

1. Applicant's arguments filed 8/20/2003 have been fully considered but they are not persuasive.
2. As per claims 1-8, applicant argues Simone fails to disclose providing a plurality of contrast modes. In reply, Examiner consider that since Simone provides a plurality of settings for preview or comparison, it is inherent that a plurality of contrast modes are provided. As for the argued specifics of the contrast modes, the claim language fails to claim the specific limitations.
3. As per claim 9-18, Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ryan Yang** whose telephone number is **(703) 308-6133**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at **(703) 305-4713**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ryan Yang
November 12, 2003

A handwritten signature in black ink, appearing to be 'MR' followed by a long horizontal line.

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600